

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
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COMMISSIONERS

Tony Orth, Chair

Brooktrails Township CSD

Scott Ignacio, Vice Chair

Point Arena City Council

Gerald Ward, Treasurer

Public Member

Matthew Froneberger

Special District Member

Glenn McGourty

County Board of Supervisors

Maureen Mulheren

County Board of Supervisors

Mari Rodin

City Member

Vacant

Ukiah Valley Fire District

Gerardo Gonzalez, Alternate

Willits City Council

John Haschak, Alternate

County Board of Supervisors

Richard Weinkle, Alternate

Public Member

STAFF

Executive Officer

Uma Hinman

Analyst

Larkyn Feiler

Commission Clerk

Kristen Meadows

Counsel

Scott Browne

REGULAR MEETINGS

First Monday of each month

at 9:00 AM in the

Mendocino County

Board of Supervisors

Chambers

501 Low Gap Road, Ukiah

Approved by Commission on November 7, 2022

MINUTES

Mendocino Local Agency Formation Commission

Regular Meeting (Hybrid) of Monday, September 12, 2022

County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

1. CALL TO ORDER and ROLL CALL (Video Time 1:11)

Chair Orth called the meeting to order at 9:01 a.m.

Regular Commissioners Present: Tony Orth, Gerald Ward, Mari Rodin, Maureen Mulheren

Regular Commissioners Absent: Scott Ignacio, Glenn McGourty, Matthew Froneberger

Alternate Commissioners Present: Gerardo Gonzalez (seated for Scott Ignacio)

Alternate Commissioners Absent: John Haschak, Richard Weinkle

Staff Present: Uma Hinman, Executive Officer; Larkyn Feiler, Analyst; Kristen Meadows, Clerk; Marsha Burch, Legal Counsel

2. AB 361 REMOTE TELECONFERENCING ACTION (Video Time 3:03)

The Commission adopted Resolution No. 2022-23-03 making further findings related to holding Commission meetings via a hybrid model pursuant to the provisions of Government Code Section 54953(e).

Motion by Commissioner Mulheren to adopt Resolution No. 2022-23-03.

Second by Commissioner Gonzalez.

Approved by roll call vote: unanimous.

Ayes: (5) Gonzalez, Rodin, Mulheren, Ward, Orth

3. PUBLIC EXPRESSION None

4. CONSENT CALENDAR (Video Time 6:34)

4a) July 11, 2022 Regular Meeting Summary

4b) Ratify the July 2022 Claims & Financial Report

July 2022 Claims totaling:	\$22,941.53
Hinman & Associates Consulting	12,547.50
P. Scott Browne	900.00
Cash	200.53
Pehling CPA	1,875.00
SDRMA	2,799.92
CALAFCO	2,954.00
County of Mendocino	779.06
Comcast	93.67
Streamline	50.00
Phone.com	207.61
Ukiah Valley Conference Center	534.24

4c) August 2022 Claims & Financial Report

August 2022 Claims totaling:	\$15,825.80
Hinman & Associates Consulting	14,006.25
P. Scott Browne	900.00
Comcast	93.67
Streamline	50.00
Ukiah Valley Conference Center	592.52

Treasurer Ward commented that the new layout of the Budget Tracking spreadsheet is detailed and well done. Commissioners Orth and Gonzalez also expressed appreciation for Staff's work.

4d) Ratify the FY 2022-23 Contract with Mendocino County Information Technology

4e) WestAmerica Bank Signatures

Motion by Commissioner Mulheren to approve the Consent Calendar.

Second by Commissioner Ward.

Approved by roll call vote: unanimous.

Ayes: (5) Gonzalez, Rodin, Mulheren, Ward, Orth

5. PUBLIC HEARING ITEMS None

6. WORKSHOP ITEMS (Video Time 9:55)

6a) Joint Public Workshop for the City of Ukiah and Ukiah Valley Sanitation District Municipal Service Reviews

EO Hinman introduced the item regarding a joint public workshop on the Draft Municipal Service Review (MSR) for the City of Ukiah (City) and the Ukiah Valley Sanitation District (UVSD or District). EO Hinman explained that the City and District MSRs were being presented together due to the interconnected systems and coordinated operations of these agencies, and these MSRs are a shift from the typical process and involved development in direct coordination with agency staff. EO Hinman also gave special thanks to the following local agency staff and representatives for assistance in preparing the draft documents.

City of Ukiah

Sage Sangiacomo, City Manager

Craig Schlatter, Community Development Director

Jesse Davis, Chief Planning Manager

Ukiah Valley Sanitation District

Wing-See Fox, Interim General Manager

Ernie Wipf, Board Chair & Ad Hoc Committee Member

Mark DeMeulenaere, Contractor

Sage Sangiacomo and Wing-See Fox provided a [joint presentation](#) titled "Sewer Services Provision in the Ukiah Valley - A Look at the Historical Relationship Between Two Agencies and What Lies Ahead". (Video Time 11:47 - 30:05)

Multiple Commissioners commended the City and District for the significant interagency progress made from the 2012-2018 conflict, litigation, and jockeying for territory and assets to the on-going mutual relationship building and beneficial cooperation and collaboration between the agencies for the benefit of the community they serve.

The Commission primarily discussed the Draft MSRs, the upcoming joint Out-of-Agency Services application and future government structure options between the agencies, the value of agencies working together to address tough issues for the public good through increased service efficiency and to leverage State and Federal grant funding for infrastructure improvements ahead of future increases in regulatory requirements, and the strong working relationship between the City and District which is a good model or blueprint for other agencies and areas of the County to follow for mutually agreeable consolidation efforts.

City and District staff explained that they are continuing to explore ways for consolidation of the agencies in the long-term, with direct and regular communication between agency staff and elected officials, while maintaining the District's financial viability in the short-term by preventing piecemeal detachments and not limiting the City's ability to annex areas in the short-term.

Elizabeth Salomone, General Manager of the Russian River Flood Control and Water Conservation Improvement District, commended the City and District for their joint efforts and significant progress made in moving forward together for the benefit of the Ukiah Valley, recognized the significant amount of progress made by LAFCo staff over

the last eight years, and emphasized the value of extending this excellent example of the City and District involving creative and out-of-the box thinking and interagency relationship building to other agencies in the future.

Analyst Feiler provided a [staff presentation](#) regarding the Joint Workshop Draft MSRs. (Video Time 52:40 – 56:45)

Analyst Feiler clarified that no formal action would be taken on the Draft MSRs, a second workshop would be scheduled at a later date to review the proposed Sphere of Influence (SOI) for these agencies, and then a public hearing would be scheduled for formal consideration by the Commission of the Final MSR/SOI Update studies. EO Hinman explained that LAFCo and agency staff worked together closely on development of the MSRs, which was an iterative process and involved many weekly meetings.

The Chair welcomed public comment on the Draft City and District MSR documents.

Ernie Wipf, Board Chair and Ad Hoc Committee Member of the Ukiah Valley Sanitation District, commented that the Out-of-Agency Services (OAS) application is a Catch-22 because a property owner or developer needs assurance of water and sewer service before spending significant money on developing plans, but LAFCo authorization for water and sewer service is parcel-specific instead of a blanket approval for an area. Chair Orth explained that the OAS application is on a case-by-case basis for all applicants and is an interim step in anticipation of annexation and also noted that the City and District working together through this process is to the great benefit of all involved.

Commissioner Ward requested a correction on page 144 of the packet under Section 3.10.2, to clarify that solid waste is taken to Potrero Hills in Solano County instead of Eastlake Landfill in Lake County. Commissioner Ward also asked whether an area must be incorporated to serve as the County seat, and EO Hinman confirmed that the County seat does not necessarily need to be a City, although it is often the case.

There were no further MSR changes, information, or follow-up requested from the Commission or the public.

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

7a) Commissioner Terms, Recruitments and Elections (Video Time: 1:11:09)

EO Hinman provided an informational report regarding status of Commissioner terms, recruitment for the 2023-2026 Public Member term, and an update on the Special District election.

On April 29, 2022, in accordance with the GOV 56332(f), EO Hinman initiated the nomination process for the Regular and Alternate Special District member seats. As the only nominee for the Alternate member, Francois Christen, Anderson Valley CSD, automatically won the seat for the 2023-2026 term. Mr. Christen was also nominated, along with Candace Horsley, Ukiah Valley Sanitation District, for the Regular member seat and ballots were sent to the Districts on August 19. A quorum of ballots from the 49 Special Districts must be returned to validate the election. Ballots are due November 11, 2022.

The Public Member Notice of Vacancy will be advertised in the local newspapers and posted on the LAFCo website on September 19, 2022. Applications are due October 28.

There were no comments or questions from the Commission.

7b) Selection of the Voting Delegate for the CALAFCO Board of Directors Election Proceedings (Video Time: 1:15:08)

Chair Orth appointed Commissioner Mulhern as the voting delegate for the Regional Caucus and Annual Membership Meeting to be held on October 20th during the 2022 CALAFCO Conference.

8. INFORMATION AND REPORT ITEMS

8a) Work Plan, Current and Future Proposals (Video Time: 1:18:31)

A summary of the Work Plan and Proposals was included on pages 279 – 280 of the Agenda Packet.

Staff anticipates a future proposal from the City of Ukiah and the Ukiah Valley Sanitation District for an Out of Area Service Agreement in the coming months.

Commissioner Ward asked for an update to the Millview County Water District Pre-Application for Annexation of Masonite Properties. EO Hinman reported that a CEQA document was circulated for review then scheduled for adoption by the District Board; however, no updates have been reported to LAFCo.

8b) Correspondence None

8c) CALAFCO Business and Legislation Report

A CALAFCO University webinar: *Two Agencies in Dispute: LAFCo's Role in Assisting in Resolving the Conflict*, is scheduled for September 19, 2022 at 1 pm. Registration is free to CALAFCO members.

The CALAFCO Newsletter and Legislative Report were included in the Agenda Packet.

8d) Executive Officer's Report (Video Time: 1:22:54)

EO Hinman reported the following:

- Staff is preparing to initiate the audit process in coordination with Treasurer Ward
- Application activity remains high
- Staff will coordinate with Chari Orth to determine the necessity for the October Regular Meeting

8e) Committee Reports (Executive Committee/Policies & Procedures) None

8f) Commissioners Reports, Comments or Questions

Commissioner Gonzalez thanked staff for facilitating the Hybrid Meeting. He expressed appreciation for the collaboration efforts between the UVSD and City to complete their Municipal Service Reviews.

ADJOURNMENT (Video Time: 1:26:53)

There being no further business, the meeting adjourned at 10:26 a.m. The next regular meeting of the Commission will be held on Monday, October 3, 2022 at 9:00 a.m. The meeting will be conducted in a hybrid format to accommodate both in person and remote participation. The in-person meeting will be held in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah.

Live web streaming and recordings of Commission meetings are available via the County of Mendocino's YouTube Channel. [September 12, 2022, YouTube meeting recording](#). Links to recordings and approved minutes are also available on the [LAFCo website](#).